

HARMON & SEIDMAN LLC  
Chris Seidman  
101 S Third Street, Suite 265  
Grand Junction, CO 81502  
chris@harmonseidman.com

Alexander Rice Kerr  
HARMON & SEIDMAN LLC  
219 Vicksburg St.  
San Francisco, CA 94114  
alex@harmonseidman.com

*Attorneys for Plaintiff*

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
Four Embarcadero Center, Suite 3800  
San Francisco, California 94111  
Telephone: (415) 984-6400  
Facsimile: (415) 984-2698  
Raoul Kennedy (CA # 40892)  
Raoul.Kennedy@skadden.com

Four Times Square  
New York, New York 10036  
Telephone: (212) 735-3000  
Facsimile: (212) 735-2000  
J. Russell Jackson (NY # 2430528) (*pro hac vice*)  
Russell.Jackson@skadden.com

*Attorneys for Defendants*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Minden Pictures, Inc.,

Plaintiff,

vs.

Houghton Mifflin Harcourt Publishing  
Company and R.R. Donnelley & Sons  
Company,  
Defendants.

No. CV 10-03212-SI

**STIPULATION OF DISMISSAL  
WITH PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Minden Pictures, Inc. and Defendants Houghton Mifflin Harcourt Publishing Company and R.R. Donnelley & Sons Company (collectively the "Parties") hereby stipulate, through their respective counsel, that the above-captioned action is voluntarily dismissed WITH PREJUDICE. The Parties are to bear their own costs and attorneys fees.

IT IS SO STIPULATED.

Dated: January 14, 2011  
Grand Junction, CO

s/ Chris Seidman  
Chris Seidman  
HARMON & SEIDMAN LLC  
101 S Third Street, Suite 265  
Grand Junction, CO 81502  
chris@harmonseidman.com

Alexander Rice Kerr  
HARMON & SEIDMAN LLC  
219 Vicksburg St.  
San Francisco, CA 94114  
alex@harmonseidman.com

*Attorneys for Plaintiff Minden Pictures, Inc.*

Dated: January 14, 2011  
San Francisco, CA

s/ Raoul Kennedy  
Raoul Kennedy  
SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
Four Embarcadero Center, Suite 3800  
San Francisco, California 94111  
Raoul.Kennedy@skadden.com

J. Russell Jackson  
SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
Four Times Square  
New York, NY 10036  
Russell.Jackson@skadden.com  
*Attorneys for Defendants Houghton Mifflin  
Harcourt Publishing Company and R.R.  
Donnelley & Sons Company*

I, Raoul Kennedy, am the ECF User whose ID and password are being used to file the **STIPULATION OF DISMISSAL WITH PREJUDICE**. In compliance with General Order 45, X.B., I hereby attest that Chris Seidman has concurred in this filing.

Dated: January 14, 2011  
San Francisco, CA

s/ Raoul Kennedy  
Raoul Kennedy  
SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
Four Embarcadero Center, Suite 3800  
San Francisco, California 94111  
Raoul.Kennedy@skadden.com  
*Attorney for Defendants Houghton Mifflin  
Harcourt Publishing Company and R.R.  
Donnelley & Sons Company*

1 PURSUANT TO THE STIPULATION, IT IS SO ORDERED:

2 

3 Susan Illston  
4 United States District Judge

Dated: \_\_\_\_\_

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE (CM/ECF)**

I, Raoul Kennedy, hereby certify that on January 14, 2011 I caused the foregoing document, titled STIPULATION OF DISMISSAL WITH PREJUDICE, to be electronically filed with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following e-mail addresses:

Chris Seidman  
HARMON & SEIDMAN LLC  
101 S Third Street, Suite 265  
Grand Junction, CO 81502  
chris@harmonseidman.com

Alexander Rice Kerr  
HARMON & SEIDMAN LLC  
219 Vicksburg St.  
San Francisco, CA 94114  
alex@harmonseidman.com

*Attorneys for Plaintiff Minden Pictures, Inc.*

s/ Raoul Kennedy  
Raoul Kennedy  
SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
Four Embarcadero Center, Suite 3800  
San Francisco, California 94111  
Raoul.Kennedy@skadden.com  
*Attorney for Defendants Houghton Mifflin  
Harcourt Publishing Company and R.R.  
Donnelley & Sons Company*